

JAP:TJS

M 11-588

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

- - - - -X

UNITED STATES OF AMERICA

COMPLAINT AND AFFIDAVIT
IN SUPPORT OF APPLICATION
FOR ARREST WARRANT

- against -

ERIC GAY,

(18 U.S.C § 751(a))

Defendant.

- - - - -X

EASTERN DISTRICT OF NEW YORK, SS:

MIGUELINA GUZMAN, being duly sworn, deposes and states that she is a Deputy United States Marshal duly appointed according to law and acting as such.

Upon information and belief, on or about June 3, 2011, within the Eastern District of New York and elsewhere, the defendant ERIC GAY, having been convicted of an offense, did knowingly and intentionally escape from the custody of the Attorney General or his authorized representative.

(Title 18, United States Code, Section 751(a)).

The source of your deponent's information and the grounds for her belief are as follows:^{1/}

^{1/} Because the purpose of this Complaint is to set forth only those facts necessary to establish probable cause to arrest, I have not described all of the relevant facts and circumstances of which I am aware. In addition, when I rely on statements made by others, such statements are set forth in part and in substance unless otherwise indicated.

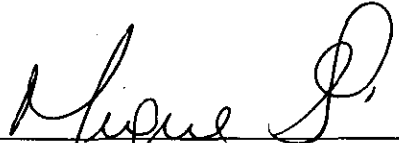
1. On or about December 7, 2007, the defendant ERIC GAY was sentenced by the Judge I. Leo Glasser of the United States District Court for the Eastern District of New York to a term of 60 months' imprisonment and remanded to the custody of the Attorney General of the United States. The defendant was sentenced in connection with a conviction for bank robbery, in violation of Title 18, United States Code, Section 2113.

2. On or about May 4, 2011, the defendant ERIC GAY was transferred from U.S.P. Allenwood in Allenwood, Pennsylvania to the Brooklyn Residential Reentry Center ("BRRRC"). The defendant's term of custody was scheduled to be completed on October 30, 2011.

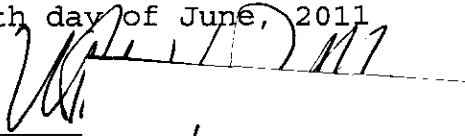
3. On or about June 3, 2011, at approximately 9:15 p.m., a routine head count was conducted at BRRRC and the defendant was not found in his room or in the BRRRC facility. The defendant was scheduled to remain at the facility until October 30, 2011.

4. As of this date, the defendant ERIC GAY has failed to return to the BRRRC.

WHEREFORE, your deponent respectfully requests that a warrant issue for the arrest of the defendant ERIC GAY so that he may be dealt with according to law.


MIREULINA GUZMAN
Deputy Marshal
U.S. Marshals Service

Sworn to before me this
7th day of June, 2011


UNITED STATES OF AMERICA
S. Pohorelsky
JUDGE
ORR